

port and maintenance of such city hospital: *Provided*, the city council shall have the power, after first having been authorized to do so by a majority vote of the qualified voters of said city, to levy a special tax annually on the taxable values of the city for the support and maintenance of said hospital. Proviso: special tax.

SEC. 29. Miscellaneous. (1) All questions arising in the administration of the government of said city and not provided for in this act shall be governed by the laws of the State in such cases made and provided. Application of general laws.

(2) In all judicial proceedings it shall be sufficient to plead any ordinance of the said city by caption or by the number of section thereof and the caption, and it shall not be necessary to plead the entire ordinance or section. All printed ordinances or codes of ordinances published in book form by authority of the city council of the city of Kinston shall be admitted in evidence in all courts and shall have the same force and effect as would the original ordinance. Plea of ordinance. Printed ordinances evidence.

(3) All ordinances of the city of Kinston not inconsistent with the provisions of this charter shall remain in full force and effect until altered, amended or repealed by the city council: *Provided*, that the power to pass such ordinances under former charters has not been repealed, expressly or impliedly, by the terms of this act. Ordinances continue in force. Proviso: repeal of power.

(4) No office provided for in this act not now already existing shall be held to be created until the same is established by an ordinance of the city council. Offices not created.

(5) This act shall be deemed a public act, and judicial notice shall be taken thereof in all courts and places, without the same having been pleaded or read in evidence. Public act.

(6) The property, real or personal, belonging to the city of Kinston shall not be liable to be sold or appropriated under any writ of execution, nor shall the funds belonging to the city in the hands of any person be liable to garnishment, nor shall the city or any of its officers or agents be required to answer any writ of garnishment served upon or issued against it, and a failure to do so shall not entail any liability upon the city, but if the mayor of the city elects to do so, he may answer in a writ of garnishment for the city, in his discretion. Property exempt from execution.

(7) In the event that any part, article, section or subdivision of this act shall be held to be unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of the act, but the same shall continue in full force and effect notwithstanding such holding. Partial unconstitutionality not to vitiate act.

(8) Any officer of the city of Kinston who shall on demand fail to turn over to his successor in office the property, books, money, seals or effects of said city, shall be deemed guilty of a misdemeanor and imprisoned for not more than five years and fined not exceeding one thousand dollars, at the discretion of the court. Failure of officer to settle with successor misdemeanor.